

Message Text

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16

ACTION EA-09

INFO OCT-01 ISO-00 EB-07 COME-00 TRSE-00 CIAE-00 DODE-00

NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00 PM-04 H-02

INR-07 L-03 NSC-05 PA-02 PRS-01 SP-02 SS-15 /058 W

----- 022637

O R 060936Z JUL 76

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC IMMEDIATE 0583

INFO CINCPAC HONOLULU

COMUSJAPAN YOKOTA

UNCLAS TOKYO 10149

CINCPAC FOR POLAD

E.O. 11652: N/A

TAGS: PINT, JA

SUBJECT: USE OF LOCKHEED DEPOSITIONS BLOCKED

REF: TOKYO 10063

1. TOKYO PRESS ON JULY 4 AND 5 REPORTED WITH SOME SURPRISE
DECISION BY LOS ANGELES DISTRICT COURT JUDGE WARREN
FERGUSON ON JULY 2 REQUIRING STRONGER GUARANTEES OF
IMMUNITY FROM JAPANESE JUDICIARY BEFORE DEPOSITIONS COULD
BE RELEASED TO TOKYO PROSECUTORS FOR USE IN INVESTIGATIONS.
JUSTICE MINISTER INABA TOLD PRESS, AND SUPREME COURT
JUSTICE TOLD EMBOFF, ON JULY 5 THAT THIS CONDITION COULD
NOT BE MET. INABA, AFTER REPORTING TO PRIMIN MIKI ON LOCKHEED
PROGRESS DURING LATTER'S TRIP TO US, TOLD REPORTERS HE HAD GIVEN UP
HOPE THAT LOS ANGELES TESTIMONY COULD BE USED BY PROSECUTORS.

2. COMMENT: JAPAN'S ORIGINAL OFFER OF IMMUNITY FROM PROSECUTION
TO THREE LOCKHEED OFFICIALS -- KOCHIAN, CULTTER AND ELLIOTT --
WAS JAPAN'S FIRST AND WAS BASED ON AN ARTICLE OF CRIMINAL PROCEDURE
LAW NOT PREVIOUSLY UNDERSTOOD TO INCLUDE IMMUNITY. THE LOCKHEED
WITNESSES, WHOSE APPEALS AGAINST THE ORDER TO MAKE DEPOSITIONS
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HAVE ALREADY CAUSED A MONTH'S DELAY, APPARENTLY COMPLAINED IN

COURT THAT JAPAN'S IMMUNITY PROVISIONS WERE INADEQUATE.

3. SO FAR, COMPLAINTS THAT THE US SIDE IS NOT COOPERATING FULLY TO EXPEDITE LOCKHEED CASE HAVE BEEN ABSENT ONCONTRARY, GOJ HAS EXPRESSED SATISFACTION WITH US ACTIONS ON CASE. PRIMIN IS SCHEDULED TO DISCUSS GOVERNMENT'S PLANS FOR FURTHER LOCKHEED INVESTIGATIONS ON JULY 7 BEFORE DIET SPECIAL LOCKHEED INVESTIGATION COMMITTEES. HE MAY INDICATE WHAT, IF ANYTHING, GOVERNMENT WILL DO TO OVERCOME THIS LATEST SNAG.
HODGSON

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NNN

Message Attributes

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